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Attorneys for Plaintiff,  
CADDELL DRY DOCK AND REPAIR CO., INC.

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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CADDELL DRY DOCK AND REPAIR CO, INC.,	:	
	:	
Plaintiff,	:	
	:	<b><u>CASE NO.</u></b>
- against –	:	1:20-cv-00685 (EK-LB)
	:	
BOUCHARD TRANSPORTATION CO., INC.,	:	
<i>in personam</i> , BARGE B. NO. 280, <i>in rem</i> , and	:	
B. NO. 280 CORP., <i>in personam</i> ,	:	
	:	
Defendants.	:	
-----X	:	

**EX PARTE MOTION FOR AN ORDER DEPUTIZING  
STEVEN P. KALIL TO ACT IN LIEU OF U.S. MARSHAL  
IN SERVING WARRANT OF ARREST OF BARGE NO. B. NO. 280**

Plaintiff and Substitute Custodian, CADDELL DRY DOCK AND REPAIR CO., INC. (“Plaintiff”), by and through undersigned counsel, hereby moves for Order Deputizing Steven P. Kalil, President of Plaintiff, to act in lieu of the US Marshal for the sole purpose of serving the Warrant to Seize a Vessel [*Docket No. 13*] (“Warrant”) and related papers upon the BARGE B. NO. 280 (“Barge”) *in rem*, currently berthed at Plaintiff’s yard at 1515 Richmond Terrace in Staten Island, New York.

This motion is triggered by information received yesterday from the U.S. Marshals Service for this District that due to workload constraints, they will not be able to serve the Warrant

until sometime during the first two weeks of March. These communications are described more fully in the Declaration of Simon Harter, Esq., submitted herewith.

In the event this Court grants the instant motion, Mr. Kalil will post the Verified Complaint, Order Authorizing Issuance of Warrant of Vessel Arrest, and the Warrant to Seize A Vessel at a conspicuous spot on the Barge and will file proof of service promptly.

For the reasons explained in the aforementioned Declaration, a delay in the arrest of the Barge is potentially severely prejudicial to Plaintiff.

Dated: February 20, 2020

Respectfully submitted,

LAW OFFICES OF SIMON HARTER, ESQ.  
Attorneys for Plaintiff, CADDELL DRY DOCK  
AND REPAIR CO., INC.

By: /s/ Simon Harter  
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